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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/654,926	09/05/2003	Hiroshi Mori	031062	5473
38834 7590 02/15/2011 WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP 1250 CONNECTICUT AVENUE, NW SUITE 700 WASHINGTON, DC 20036				
EXAMINER				
BENOIT, ESTHER				
ART UNIT		PAPER NUMBER		
2453				
NOTIFICATION DATE		DELIVERY MODE		
02/15/2011		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentmail@whda.com

### Office Action Summary

**Application No.**

10/654,926

**Applicant(s)**

MORI ET AL.

**Examiner**

ESTHER BENOIT

**Art Unit**

2453

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 December 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 3-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-940)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. This Action is in response to an Amendment filed on December 17, 2010. Claims 1 and 3-12 are pending in this application.

### ***Response to Arguments***

2. Applicant's arguments, see Remarks, filed 12/17/2010, have been fully considered, but are not persuasive. The applicants are arguing in substance the following:

#### **Arguments under 35 U.S.C. 103(a)**

##### ***Arguments to Claim 1:***

a) The prior art Gretta does not suggest "reading out diagnosis data from the field device, referring to the definition files, recognizing conditions and/or status, displaying the message, data or color, which are relating to the condition and/or status".

b) The prior art Gretta does not suggest "the feature of handling a condition and/or status of the field device".

##### ***Response to arguments of Claim 1:***

As to point a, the argument has been considered but is not persuasive. To begin, Gretta, in view of Keys, and further in view of Hauhia discloses reading and recognizing condition data from a field device (Hauhia, Abstract and Col. 4, lines 63-67). Gretta teaches obtaining parameter information from field devices (Col. 4, lines 49-62, *function*

*blocks that determines parameters such as alarm, trend, tuning, or diagnostic data*) and creating templates(*definition files*) using function block information (Col. 10, lines 46-58). These templates are displayed (Col. 10, lines 46-58).

As to point b, the argument has been considered but is not persuasive. The claim limitations do not disclose "the feature of handling a condition and/or status of the field device", therefore, it is not known what the applicants' argument is addressing.

As to any claims not specifically discussed, the applicants argued that it was patentable for one of the reasons discussed above. Please see response to above arguments for unspecified discussions.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 3-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gretta, Jr. (6,076,952), hereinafter Gretta, in view of Keys et al. (US 2001/0050681 A1), and further in view of Hauhia et al. (US 7,058,542 B2).

Gretta discloses:

- a display device for displaying said generated display data on a personal computer on a network (Figure 1 and Col. 10, lines 21-28, *14, display device*)
- wherein definition files (*templates*) are provided on a field device basis and define the way the data of said field devices is displayed (Col. 10, lines 46-58 and Col. 16, lines 26-40, *a fieldbus configuration template is used to display configuration information pre-wired or the user can use the template and change the configuration information in the template a desired preference*)
- the definition files (*templates*) sections can include information displayed as parameters that represent a hardware status (Col. 4, lines 38-48 and Col. 10, lines 46-58) and mandatory configurations of said field devices (Col. 15, lines 44-55, *invalid inputs and outputs (changes) will produce wiring errors, but valid changes will be highlighted as a valid connection*)

Gretta does not explicitly disclose:

- a description device for writing data read by a data acquisition device to definition files according to a predetermined format to create the definition files;
- a generation device for interpreting said definition files wherein data is written to generate display data;

However, Keys discloses:

a description device (*server computer system*) for writing data read by said data acquisition device (*user end*) to definition files (*template/presentation file*) according to a predetermined format to create definition files ([0027], *server computer receives information from user to create a presentation file that will describe the way the information is to be presented*);

a generation device (*generator*) for interpreting said definition files wherein data is written to generate display data ([0038], *presentation generator to create a final formatted multimedia for presenting*);

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Gretta to incorporate the teachings of Keys to provide the description device for writing data read by said data acquisition device to definition files, *because* it will allow for easier generation of the definition files using the device.

Gretta and Keys do not explicitly disclose a field control station which includes a data acquisition device for reading data from field devices connected to a fieldbus;

However, Hauhia discloses:

a field control station (*field control unit*) which includes a data acquisition device (*receiver for receiving diagnostics data*) for reading data from field devices connected to a fieldbus (Abstract);

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Gretta and Keys to incorporate the teachings of Hauhia to provide a data acquisition device for reading data from field

devices connected to a fieldbus is enclosed in a field control station, *because* the field control station performs the control function of a distributed control system and can also run a process for cascade connection to the fieldbus and interface field devices with an information and command station.

**With respect to claim 9**, the claim's limitations are similar to claim 1. Therefore, the claim is rejected for the same reasons as claim 1 above.

**With respect to claims 3 and 4**, Gretta discloses the display device displays the diagnostic parameters of said field devices and the statuses (Col. 4, lines 38-48) and creating definition files to define the way data of field devices are displayed (Col. 10, lines 46-58 and Col. 16, lines 26-40, *a fieldbus configuration template is used to display configuration information pre-wired or the user can use the template and change the configuration information in the template a desired preference*)

**With respect to claim 5**, the claim is rejected for the same reasons as claims 3 and 4. in addition, Gretta discloses said display device displays alarms present in said field devices (Col. 34, lines 44-50)

**With respect to claim 6**, Gretta discloses the display device has an area for setting an update interval at which said data acquisition device reads data from said field devices and said data acquisition device reads data from said field devices at said update interval set in said update interval setting area (Col. 34, lines 15-21)

**With respect to claim 7**, Gretta discloses the update interval setting area is provided with a refresh button that allows said data acquisition device to read data from

said field devices at a desired point in time, and said data acquisition device reads data from said field devices at said desired point in time set using said refresh button (Col. 23, line 60)

**With respect to claim 8**, the claim is rejected for the same reasons as claim 1 above.

**With respect to claim 10**, Greta discloses data acquisition unit acquires alarm information from said field devices (Col. 4, lines 38-48)

**With respect to claims 11-12**, the claims are rejected for the same reasons as claim 1 and 9 above. In addition, Greta discloses optional configurations (Col. 10, lines 19-28, *optionally change tags and blocks*) additional information is displayed (Col. 14, lines 18-19, *additional information writing to the screen*).

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of



the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Esther Benoit whose telephone number is 571-270-3807. The examiner can normally be reached on Monday through Friday between 7:30 a.m and 5 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Krista M. Zele can be reached on 571-272-7288. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

E.B.  
February 8, 2011

/Krista M. Zele/  
Supervisory Patent Examiner, Art Unit 2453

